| AMENDMENT TRANSMITTAL LETTER (Small Entity) Applicant(s): Jeffrey Gilbert                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                               |                              |          |                                                        |     | Docket No.<br>GJE-10102/38         |                       |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|------------------------------|----------|--------------------------------------------------------|-----|------------------------------------|-----------------------|--|
| Application No. 10/797,459                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Filing Date<br>March 10, 2004 | Examiner Timothy Scott Smith |          | Customer N<br>25006                                    | 10. | Group Art Unit<br>3632             | Confirmation No. 4461 |  |
| APR 0 6 2006                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                               |                              |          |                                                        |     |                                    |                       |  |
| COMMISSIONER FOR PATENTS:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                               |                              |          |                                                        |     |                                    |                       |  |
| Transmitted herewith is an amendment in the above-identified application.  Applicant claims small entity status. See 37 CFR 1.27  The fee has been calculated and is transmitted as shown below.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                               |                              |          |                                                        |     |                                    |                       |  |
| CLAIMS AS AMENDED                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                               |                              |          |                                                        |     |                                    |                       |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | CLAIMS REMAINING              | HIGHEST#                     | NUMBI    | ER EXTRA                                               |     | RATE                               | ADDITIONAL            |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | AFTER AMENDMENT               | PREV. PAID FOR               | CLAIMS   | PRESENT                                                |     |                                    | FEE                   |  |
| TOTAL CLAIMS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 16 -                          | 20 =                         | <u> </u> | 0                                                      | х   | \$25.00                            | \$0.00                |  |
| INDEP. CLAIMS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 2 -                           | 3 =                          |          | 0                                                      | x   | \$100.00                           | \$0.00                |  |
| Multiple Dependent Claims (check if applicable)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                               |                              |          |                                                        |     |                                    | \$0.00                |  |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                               |                              |          |                                                        |     |                                    | \$0.00                |  |
| <ul> <li>No additional fee is required for amendment.</li> <li>□ Please charge Deposit Account No. in the amount of</li> <li>□ A check in the amount of to cover the filing fee is enclosed.</li> <li>☑ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 07-1180</li> <li>☑ Any additional filing fees required under 37 C.F.R. 1.16.</li> <li>☑ Any patent application processing fees under 37 CFR 1.17.</li> <li>□ Payment by credit card. Form PTO-2038 is attached.</li> <li>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</li> <li>☑ Avery N. Goldstein, Reg. No. 39,204</li> <li>Avery N. Goldstein, Reg. No. 39,204</li> <li>I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on</li> </ul> |                               |                              |          |                                                        |     |                                    |                       |  |
| P.O. Box 7021<br>Troy, MI 48007-7021<br>(248) 647-6000                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                               |                              |          |                                                        |     | e of Person Mailing Correspondence |                       |  |
| cc:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                               |                              |          | Tuned on Printed Name of Parson Mailing Correspondence |     |                                    |                       |  |

Se#al No. 10/797,459 y to Office Action of January 24, 2006

04-07-06

Attorney Docket No. GJE-10102/38

**RESPONSE UNDER 37 CFR 1.116 EXPEDITED PROCEDURE EXAMINING GROUP 3600** 

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Jeffrey Gilbert

Serial No.:

10/797,459

Group Art Unit: 3632

Filing Date: March 10, 2004

Examiner: Timothy Scott Smith

For:

LAWN WASTE BAG HOLDER

## **AMENDMENT UNDER RULE 116**

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed January 24, 2006, please amend the abovereferenced application as follows: